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THE
Present Ministry
JUSTIFY'D, &c.

W. Martin



England. [App. - History and Politics. - II. 1714.]
THE
Present Ministry

JUSTIFY'D:
OR, AN
ACCOUNT
OF
The STATE of the
Several Treaties of Peace,
BETWEEN
Her Majesty and Her Allies,
AND
France and Spain:
WITH
An Account of the OBSTRU-
CTIONS of PEACE; and of
what was done relating to the
CATALANS.

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THE
Present Ministry
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OR AN
ACCOUNT
OF THE
State of the
Treasury of the
British Museum





The P R E S E N T
MINISTRY
 JUSTIFY'D, &c.

IN answer to the Addresses of
 this House, That Her Ma-
 jesty will be pleased to or-
 der an Account to be laid before
 this House, how far the Peace
 is compleat between Her Ma-
 jesty's Allies, and *France* and
Spain, and what is yet want-
 ing to make the same Univer-
 sal,

fal; as also what Obstructions
 Her Majesty has met with in
 Her Endeavours to make the
 same Universal and Compleat;
 and likewise that Her Majesty
 would please to order an Ac-
 count to be laid before this
 House of what Endeavours have
 been used that the *Catalans* might
 have full Enjoyment of all the
 ancient Liberties and Privileges,
 and that a full State of all Pro-
 ceedings during the Treaty of
 Peace, relating thereunto, be like-
 wise laid before this House;
 Her Majesty has thought fit to
 order, besides the Papers here-
 with delivered in, the follow-
 ing State of the Treaties of
 the Negotiations of Peace, and
 of the Endeavours which She
 has used that the *Catalans* might
 have the full Enjoyment of all
 their

their ancient Liberties and Privileges, to be prepared and laid before this House.

On the *Eleventh* Day of *April*, N. S. 1713. the Ministers of *Great Britain*, of *Portugal*, of the present King of *Sicily*, and of the States-General of the United Provinces, signed their respective Treaties with the Ministers of his most Christian Majesty at *Utrecht*.

From that time therefore no Treaties between *France* and any of the Allies remained unfinished, except those of the Emperor and of the Body of the Empire: The first of which was executed at *Rastadt* on the *Sixth* of the last Month, N. S. and his Imperial Majesty undertaking therein to procure the Consent of the Empire to
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all the Articles of it, the Peace of the Latter may in effect be reckoned to have been likewise made at the same time, although a Congress is appointed to meet at *Baden*, where the Consent of the Electors, Princes, and States of the Empire, is to be given in Form, and several particular Claims to be discuss'd.

Passports not having been granted to the Ministers of *Spain* till more than *Fourteen Months* after the Conferences at *Utrecht* were opened, the Duke *d'Offuna* did not come to the Congress before the *19th* of *April*, N. S. 1713. nor enter on any Business till the Arrival of his Colleague the Marquis *de Monteleon* in the Month of *June*.

On

On the 13th of *July* following, the Treaty of Peace between Her Majesty and the Catholick King was signed; but the Treaty of Commerce could not be finished till the 9th of *December*, N. S. 1713.

The Peace between *Spain* and *Portugal* Her Majesty looks upon to be as good as concluded, it appearing by late Accounts from *Utrecht*, that the Project thereof had been drawn up in Form, and sent to the Two Courts to be approved; and that the Differences which remain were too inconsiderable to occasion any new Delay. In the mean while, Her Majesty has taken the most effectual Care of the Interests of the King of *Portugal*, having given to that Prince, on the 18th

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of

of *August* 1713. of Her own Motion, and without any Requisition on his Part, a new Guaranty, whereby the Queen obliged Herself to secure the Restitution, even by Force of Arms, if that should become necessary, of any thing which might be taken from *Portugal* before the Conclusion of the Peace; to procure to that Crown the Colony of the *Sacrament*, or in lieu thereof, such an Equivalent as the King of *Portugal* himself should be contented to accept; to obtain Satisfaction to the *Portuguese* for what they claim to be due to them, on account of their *Assiento* or Contract with the Crown of *Spain*; and to set on Foot, after the Peace, an amicable Negotiation for accommodating

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modating the Differences, which have arisen concerning several Estates scituated in *Portugal*, and claimed by Subjects of *Portugal* residing in *Spain*; and concerning those *Spanish* Ships which were, about the Beginning of the War, seized by the *Portugueze*: On these Principles the Earl of *Strafford* made a solemn Declaration to the Ministers of *Spain*, in *February* last, when he exchanged with them the Instruments of Ratification of the Treaties between Her Majesty and the Catholick King, That the Peace which the Queen then ratified, did not dispense with the Obligations which She lay under to the King of *Portugal*, as well by Her Guaranty lately granted, as by Her defensive Alliance made

in 1703. and that Her Majesty was determined to assist and defend this Prince on the Foot of the Pretensions specified in the said Guaranty, and according to the Tenour of the said defensive Alliance.

The Treaty of Peace between the Kings of *Spain* & *Sicily* was executed on the same Day on which Her Majesty's Treaty with the Crown of *Spain* was sign'd : that is, on the 13th of *July*, N. S. 1713.

All the Articles of a Treaty between the Catholick King, and the States-General, have been long ago adjusted ; and that Treaty would have been executed in Form, had not the Ministers of the States-General made and insisted upon a Declaration, which those of *Spain* apprehend to be repugnant to the Terms already settled. It

It has not hitherto been possible so much as to enter on a Treaty between their Imperial, and Catholick Majesties ; the Emperor having thought fit to withdraw the last of his Ministers from *Utrecht*, before those of the King of *Spain*, could appear and act in that Congress.

This short Account of the present State of the several Treaties of Her Majesty, and Her Allies, with *France* and *Spain*, shows how little is wanting, in Comparison with what has been already done, to render the Peace at last as Universal, as it would have been long ago, had not continual Obstructions been thrown in the way of this great Work, at its beginning, and in every Step of its Progress.

France

France having complained of the manner of Treating, when former Treaties were made, to set a Negotiation for a general Peace on Foot; and having for that reason refused to make any new Overtures to the States General, Her Majesty received in the Month of *April*, 1711. a *Proposal* from the most Christian King, which She immediately communicated by Her Ambassador to the Ministers of *Holland* ; assuring them, that in making Peace, as in making War, She would act in perfect Concert with the States : The Dutch Ministers, in return to this Mark of Her Majesty's Confidence in them, and Friendship for their Republick, having expressed themselves to be weary of the War, heartily desirous of Peace,

Peace, and ready to joyn in any Method Her Majesty should think proper to obtain it, gave their Opinion, that the Overture made by *France* was too General ; *That it was necessary the Queen should make the French explain themselves more particularly ;* and that till they had done so, it was not proper to take any Concert with the rest of the Allies.

As soon as Her Majesty received this Answer from the *Hague*, She insisted that the French should be more direct and particular in their Overtures ; and that they should form a distinct Project of such a Peace as they were willing to conclude : No Time was lost in carrying this Negotiation forward, and the utmost care was taken, according to the desire of the Ministers in *Holland*, whom
Her

Her Majesty had consulted, to preserve the Secret; but the dilatory Method of Treating, which in those Circumstances was unavoidable, and other Accidents, to which Transactions of this kind must be always exposed, were the Occasions that nothing more satisfactory than the first Propositions, which *France* had made, could be obtained till the End of *September 1711*.

On the first of *October*, the Queen's Instructions were given to the Earl of *Strafford*, to repair with all possible Diligence to *Holland*, to acquaint the Ministers of the States with all that had been done, in consequence of what they had in the Month of *May* desired; and to Communicate to them the Propositions, signed by Monsieur *Menager* four
Days

Days before, to wit, the twenty seventh of September; which *Her Majesty* looked upon to include, in their general Expressions, all the particular Demands proper to be made in the Course of the Negotiation, and to be a sufficient Foundation whereupon to open the Conferences. The Earl of Strafford was at the same Time instructed to assure the Ministers of *Holland*, that *Her Majesty* was determined to accept of no Advantages to *Her* self, repugnant to their Interests; nor of any Peace, unless they had all reasonable Satisfaction, as to their Barrier, as to their Trade, and to every other Respect: He was likewise to Exhort them to joyn with *Her Majesty*, in promoting the strictest Union among all the Confederates, as the only Means

to carry the Negotiation successfully forward; and Communications and Assurances of the same Nature were at the same Time given to the other Allies.

Before these Orders could be executed, and even before the last Overtures had been made on the Part of *France*, or it could possibly be known what had been transacted, the whole Confederacy was industriously alarmed; Jealousies were every where Sown; and even in *Britain*, the most licentious Clamours were raised against Her Majesties Proceedings.

This Behaviour must appear very extraordinary, when, besides what is above-mentioned, it shall be considered, that the receiving a Minister from *France* by Her Majesty, which was urged

ged as the reason of the Apprehensions of the Allies, and which was the only one they pretended to give, was no more than what the *Dutch*, and (there was ground to believe) others of the Confederates, had several Times done; and that the Person sent hither, was the same Monsieur *Mesnager*, who a Year or two before had lain concealed in *Holland* for many Weeks, and had Treated during that Time with the chief Ministers of that Republick.

The fatal Consequences, which the least appearance of Disunion amongst the Allies would necessarily produce, began then to be felt; and Her Majesty found Her self obliged to let the *Imperialists*, and the *Dutch* know, that the *French* might have been brought to explain themselves

further than they did, had it not been for the extraordinary Uneasiness, Impatience, and Jealousy, which upon the first appearance of taking any Measures towards Peace, discovered themselves among the Allies.

From thence are all the Obstructions to the Peace to be dated; and to those Obstructions alone, such Points as seem to fall short of the Expectations of any of the Parties concerned, are to be attributed. *The Queen foresaw, that nothing would be left undone to force the Negotiation out of Her Hands; as well by those who were against any Peace at all, as by those who feared that Her Majesty being at the Head of the Negotiation, more Advantages might accrue to Great-Britain, than they were willing*
to

to allow: And therefore the Confederacy, which formed it self in Opposition to what the Queen had undertaken, instead to alter Her Conduct, became the strongest Reason imaginable to continue it. Things were already brought to that Extremity, that there was no Middle between a steady Pursuit of the true Interest of Great Britain in the first Place, and abandoning our selves to be disposed of in War, or in Peace, as should suit the Conveniency or gratifie the Passions of the Confederates.

Soon after the Earl of Strafford's Departure to Holland, Monsieur Buys arrived here with the Character of Envoy from the States General. When a Minister of this Consequence was sent, hopes were immediately

ately conceived, that all Jealousies might be cured, and a perfect Harmony be created between the Queen and the States: After which, an Union with the other Allies would necessarily follow; and the whole Confederacy entering as one Man into the Congress, the Sincerity of the *French* would have been soon tried, and the Possibility or Impossibility of obtaining a good Peace soon decided.

In order to this End, Her Majesty's Servants were instructed and impowered to settle with this Minister such Disputes, as related to the reciprocal Interests of the Two Nations, and to prevent, by this previous Concert, any Difference which might arise in the course of the Treaty

ry between the Queen and the States. They were further directed to adjust, in Confidence with him, such a Plan for the general Peace, as it might be proper finally to insist upon: And in this Case Her Majesty would have been ready, jointly with the States, to have broken the Conferences, if these Terms had not been granted without Exception, and without Delay. But, such was the publick Misfortune at that time, that this Minister was only impowered to hear, and not to speak, and could not take upon him so much as to conclude, or even sign, *sub spe rati*, a new offensive and defensive Alliance betwixt the Queen and the States, which in these Circumstances of Affairs he judged, and Her
Ma-

Majesty's Servants concurred with him, to be extreamly necessary.

By the Conferences which were held with Monsieur *Buys* here, by the Accounts which came from abroad, and by the Representations which some of the Allies made about the same time to Her Majesty, it appeared undeniably evident, not only that the War was become on the present Foot absolutely impracticable; but also that no Alteration could be attempted, either in the Method of carrying it on, or in the Views towards which it was directed, without dissolving at once the Confederacy; and that the Dispute was in Fact, not whether a Peace, by which *Spain* and the *Indies*

dies would be left to *Philip*, should be made ; but who should have the making of it ?

The real Annual Expence of this Kingdom amounted to more than Seven Millions ; whereas it is certain, that we were not in a Condition effectually to raise near Six Millions in the course of a Year ; from hence it follows, that if this Proportion had been continued, about Nine Millions would have been the true Charge of a Second Year, and about Eleven Millions that of a Third.

This was the State of our Affairs, whilst the House of *Austria* contributed nothing but one Regiment to the War of *Spain*, little to that of *Italy* ; had

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but few Forces, and those entirely unactive, on the *Rhine*; and sent none in the *Netherlands*, except such as those har-
 rassed Provinces were obliged to maintain, and were thereby rendered unable to furnish Troops, or make the necessary Provisions for the Operations of the Army; both which they might otherwise have done, and both which they did in an eminent Degree, whilst they were under the Government of the present King of *Spain*.

The States-General bore a considerable Burden; but as they had from the Year 1708. sent no Supplies of any kind either to *Portugal* or to *Catalonia*, and had drawn themselves almost entirely out of the *Spanish*

nish War; as they furnished in no Proportion their Quota for the Sea Service; as they had reduced their joint Contributions with the Queen in all Payments, to one third of the whole; and as they were very backward in answering even this share of Expence; so the load of *Great-Britain* came upon their Account, as well as upon the Emperor's, to be vastly increased: As to the rest of the Allies, all the Troops which they furnished, were maintain'd by the Queen, and the States, except a few, and those almost wholly employ'd in covering their own Frontiers.

In this Scituation of Affairs, Her Majesty declared to the *Imperialists*, and to the *Dutch*,

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That

That if they would not allow *France* to have given sufficient Grounds for opening the Conferences; if they were desirous to carry on the War, and determined to accept of *no Terms of Peace, inferior to those which had been formerly demanded and refus'd*; She was on Her Part ready to concur with them: But that, in Justice to Her Self, and to them, She thought Her Self bound to let them know, that She could no longer bear so disproportionate a Burthen; that it was evident that the common Effort must be still greater than it was, or that there would remain no Prospect of arriving at the Ends which they proposed; and that for these Reasons, it would be incum-

cumbent upon them, if the War continued, to increase their Expences, whilst the Queen reduced Hers.

The Ministers of the States-General were very candid and open upon this Head: Monsieur Buys asserted, that his Masters had done their utmost already, and could be obliged to no more; many of the other had on several Occasions declared their Country unable to support the Charge they were at, another Summer; and the Pensionary himself, in a Deputation of the States, appointed to attend the Earl of *Strafford*, in *October 1711*. declared, that it was impossible to think of continuing the War another Year; that what from the Emperor,

peror, and what from the Princes of the North, we should be in the utmost danger, should we Attempt to do it ; and finally, that they were Traytors to their Country, who were against the Peace.

Many Instances might be produced, to shew that there was at least, as little Reason to expect from the House of *Austria*, as from the States-General, a greater Effort than they had hitherto made. The Peace of *Hungary* was concluded about the Month of *May* 1711. and that constant Excuse, which the Ministers of *Vienna* used to make for all their Deficiencies, did by Consequence no longer subsist : Yet Her Majesty found it impossible, at the latter End
of

of that Year, to obtain a Reinforcement of no more than eight thousand Men from thence, although Her Minister was impower'd to have offer'd forty thousand Pounds for the March of them ; and although the present King of Sicily, then Duke of Savoy, undertook, if he might be assured of this Reinforcement, any Time before the Close of the Campaign, to establish his Winter Quarters on that Side of *France*, which would have been in that point of Time the more decisive ; because a Project was then formed, and would have been executed, could the States have been in time induced to have taken even less than their own Share upon them ; Her Majesty supplying their Deficiency,

ciency, as well as Her own Proportion, to have kept a great Body of Horse all the Winter, on the Frontiers of the Low-Countries; by which means *Picardy*, and the Isle of *France*, would have been ravaged, no Magazines could have been erected, and the *French* must have gone in the Spring a great way back into their Country, to Assemble their Army.

The Imperial Ministers confess'd very freely, that their Master expected the Queen should furnish all the Money, and that the utmost he could do, was to send Troops at Her Expence; in the same Breath avowing, the Emperor's Intention to break the Negotiation of Peace, and to continue the War
till

till *Spain* was conquered ; the entire Monarchy whereof he expected : But if there had remained any doubt of the little Assistance, which was to be hoped for from the House of *Austria*, who aimed at such great Acquisitions ; this matter would have been put intirely out of Dispute, by the Proposals which Prince *Eugene* himself made in *Holland* first, and afterwards to the Queen.

These Proposals, it must be thought, were carried at least as high as his Imperial Majesty judged himself able to make good ; since it is notorious, that he would have stuck at nothing, which might have broke the Measures of Peace, and have encouraged the Re-

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solution of prosecuting the War:
 And yet, even by these Proposals, his Imperial Majesty did not pretend to Act in the Field with two thousand Men more, than in the Year 1702 it was understood that the Emperor *Leopold* undertook to furnish; although the Expence of a great Part of these Troops was not to fall upon him; and although he offer'd to Contribute but a fourth of the Charge of the Army in *Spain*, so that the remaining three fourths, as well as the whole Transportation and Extraordinary of that War, would still have been placed to the Queen's Account.

From what has been said, it is manifest, that the Method,
 in

in which the War was proposed to be carried on, could no longer be supported ; and that there was not any glimpse of Hope left, that the Allies could be brought to make any considerable Augmentation of Force, to have prosecuted the War ; therefore in this manner must have been the ruin of *Britain*, to have insisted upon an impossibility, as a Condition, without which the Queen would not proceed, must have discontinued the Alliance, and suspended the Operations of the Armies in all Parts ; in both these Cases the Consequences are too evident to be enlarged upon.

In the beginning of the Year 1711. died the late Emperor *Joseph* ; and the Eyes not only

of the Princes of the Empire, but of all the Confederates, and of Her Majesty, in the first Place, were immediately fixed on his Brother. This Event occasioned a great alteration in the Counsels of *Europe*, and gave a new turn to the Sentiments of many Princes.

There was Reason to believe, that the Ministers of *Vienna* themselves began to cool in the Project of recovering *Spain* and the *Indies*: They seemed to intend nothing more than to get the present Emperor into *Germany*, and to secure the Possession of *Italy* to themselves; and the former, as well as the late Instances they had made, for attempting the reduction of *Sicily*; though at
the

the Expence of diverting Part of that Force, which was applied to the War of *Spain*, pointed the same Way.

In *Holland*, a Partition of the *Spanish* Monarchy seemed almost the general Scheme; and the Conduct of that Republick, as well as the Confession of its Ministers, shewed, that the Project of driving *Philip* out of *Spain* was look'd upon there to be pure Chimera.

Soon after the Death of the Emperor *Joseph*, Her Majesty had been acquainted, that some of the *Princes of the Empire* thought it a Point, which deserved the most serious Reflection; whether they should suffer the *Imperial* and *Spanish* Crowns to be united on the same Head; and whether it
might

might not be proper, in the Capitulation of the Empire, to insist on the separating of them : Other Members of the grand Alliance, and those the only two with whom Her Majesty had entered into any formal Engagement, for recovering the entire *Spanish* Monarchy, represented upon the same Occasion, against placing this Crown on the Emperor's Head : It was urged by one of the most considerable Princes in the Alliance, that the Principle upon which he engaged in the War was now altered ; and that instead of Fighting to procure the *Spanish* Monarchy to the House of *Austria* ; his Interest, and even his Safety, required that he should Fight to prevent it.

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The Case therefore stood thus: The present Emperor, even after his Brother's Death, and his own Election, would content himself with nothing less than the whole *Spanish* Monarchy, and insisted that the War should be prosecuted in this View. Of the other Allies, some looked on this Prospect as Chimerical, others as dangerous; from whence it follows, that to keep the grand Alliance united in this Principle, was impracticable; and it must be allowed, that to have altered this Principle, to have changed so many Treaties, to have reconciled so many different Interests, and to have formed a System entirely new, in the midst of the War,

War, was an Experiment too hazardous to be attempted.

In this Scituation of Affairs, no time was to be lost: The Queen knew very well, that Attempts to open a Treaty with *France*, separately from Her, were made by those who clamoured the loudest against Her Measures; And the present Emperor had thought fit, on board one of Her Majesty's Ships, and by Her own Minister, to send Her a Message of the same Nature. She therefore insisted with the *IMPERIALISTS*, and with the *DUTCH*, that She would be at some Certainty, and that they should comply with Her in the Measures either of War or of Peace.

Her

How the War became unpracticable, has already appeared ; what Obstructions there were to the Carrying on a Treaty of Peace comes next to be related.

The *Principal*, and indeed the only avowed Dispute between her Majesty and the States at this time, concerned the Method of carrying a Negotiation forward. The States pretended, that a fair opportunity would be given to the Ministers of France, to divide the Confederates, if they were suffered to meet together in a General Congress, before the Essential Articles of Peace were settled by Specifick Preliminaries ; The use which had been made of this method, on a

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former Occasion, to evade the Concluding of any Peace, when, according to the Confession of the *Dutch* Ministers themselves, *the Differences on which the Allies and France broke off, did not deserve the Life of a single Soldier*, gave no great Encouragement to pursue the same again; besides which, *as the Queen would not take upon her to settle the Interests of others*, so neither would she suffer others to determine those of her own Kingdoms; and if all the Confederates were to assemble in order to adjust a Preliminary Treaty, the Objection made by the States returned upon them.

In December 1711 The States concurred with her Majesty in fixing the Place of the Treaty, appointing the Day on which the Congress should open, inviting the Allies to send their Ministers thither, and giving the necessary Passports to the Plenipotentiaries of France. And if nothing had happened to revive the Spirits of those who were bent against the Peace, it is highly probable by the little time which it cost to conclude most of the Treaties, after the Conferences, that had been interrupted, were resumed at Utrecht, and the Allies proceeded in earnest to negotiate, that the Treaties of all the Confederates with France, might have been finished before the Season of o-

pening the Campaign in 1712. But before Monsieur Buys returned into *Holland*, or the Conferences could begin, the Efforts were renewed with the greatest Vigour to break off the Negotiation; the Cry *against a Peace by which Spain and the Indies should be left to any Branch of the House of Bourbon, became louder than ever*; and Letters and Memorials were not only delivered, but Printed; and Appeal made against her Majesties Proceedings to all *Europe*, and even to her own Subjects.

On these Encouragements the good Dispositions towards Peace received a Check, and some of those who had own'd themselves against the Pro-
secution

secution of the War to recover the whole *Spanish Monarchy* to the House of *Austria*, joined now, under this very pretence, to break the Measures of Peace. *The Treatments which her Majesty met with at this time will appear in the Clearest light from this Circumstance*: The Minister of the States General proposed to her Majesty's Servants, that considering the Difficulties which the Queen lay under, how impossible it was to recover by War, or by Treaty, the *Spanish Monarchy* from King *Philip*, and how impossible he likewise apprehended it to be in the present Circumstances of Affairs, for her Majesty to carry on any Negotiation, by which this Monarchy should be

be left to *Philip*, he was ready, to extricate her Majesty from this *Dilemma*, and to *skreen* her Ministers in carrying on the Work which they had begun, in the name of his Masters, to present a Memorial, by which the Point of obtaining *Spain* and the *Indies*; should be given up; Provided he might be assured that the *Dutch* should have an equal share with her Majesty's Subjects in the *Assiento*, which Contract he supposed it was stipulated should be made with *Great Britain*.

From the Causes, and by the Steps which have been here mentioned, was the Disunion among the Allies arrived to the highest Pitch, at the

the Opening of the Conferences in the Month of *January* 17th, when the strictest Union amongst them was more than ever Necessary, and when the whole Fruit of whose Successes wherewith God had blessed their Cause in the Course of the War, depended on it. They sent their several Plenipotentiaries to *Utrecht*, but it was very apparent, that most of them acted on that Maxim, which one of them professed, that giving into the Measures of Peace was the surest way to continue the War. They Flattered themselves, that the Imperial Ministers in *Conjunction with those* of Britain, *having* two Years before baffled the Designs of *Holland* to make Peace, it would

would be, at least, as easy for the Ministers of the Emperor, in Conjunction with those of the States General, to render Fruitless, at this time, all her Majesties Endeavours to the same End. After this it will not appear surprizing, if the utmost dexterity was exerted to delay the entering on business at *Utrecht*, and to wait for the Events of the Campaign.

• On the 29th of *Jan.* 17th the first general Conference was held between the Ministers of the Allies and those of *France*, and by the beginning of *April*, a Dispute was set on Foot concerning the Method of proceeding, which made all Treaty

ty impracticable, and which was kept up, till a Quarrel happening between one of the Plenipotentiaries of *France*, and one of those of the States, a new Obstruction was created to take Place and to answer the ends of the first.

The *French* had made their overtures in Writing; the Allies had likewise given in their Demands in Writing; and the Question arose, whether the *French* were obliged to give a Specifick Answer in Writing, or whether they should now proceed in the Negotiation by debating with the several Allies, agreeably to the Method used in former Congresses? By the Minutes of the *Protocol*, to which the *French* Mi-

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nisters appealed, it appeared that they were under no such Obligation, but between the 2d. of *April*, and the 5th. Count *Sinzendorff* had been at the *Hague*, where the Resolution was taken to carry things to Extremity, that is, not to treat with the Ministers of the most *Christian* King, unless they gave an Answer in Writing, and Orders were accordingly sent by the States to their Plenipotentiaries. The Design was laid upon this to have broke off all further Treaty; but this Design was disappointed by the Declaration which the *French* Ministers made on the 6th, that their Instructions allowed them to go no farther than they had Offered, but that they would
write

write to the King their Master to Know his Pleasure; After which during three Months time there was not so much as any Steps made on the Part of the Allies for an Answer from the *French*, tho' at the same time the Imperialists were pushing to get the Congress broke, or at least her Majesty's Ministers excluded.

In *August* the Second Obstruction took place; and that, Trifling as the Occasion of it may seem, was so managed, that till the 30th of *January*, N. S. 17th the Difficulty could not be overcome.

Ten Months having been lost at *Utrecht*, and the Suc-

cess of the Campaign not having answered the Design of those who Projected the breaking of the Treaty by the operations of the Army, the Ministers of the Allies made no further Difficulty to proceed in the very Method, which her Majesties Plenipotentiaries had from the first advised. This Method succeeded so well, that in two Months after the Negotiation was resumed, all the Parties in the War made their Peace with *France*, except the Emperor and the Empire, and the Ministers of those Powers had likewise brought their Disputes to so narrow a Compass, that on the 15th of *May* 1713. the only difference between them was concerning the Marquisate of *Burgaw*, estimated

ftimaetd at the Yearly value of about 12000 Crowns.

In this State of things Monsieur KIRCHNER, the laft of the Imperial Minifters who continued at *Utrecht*, left that Place, and the Emperor's Refolution was declared of fupporting that War fingle, which affifted by the Queen and the States, he had not been able to carry on with any Tolerable Vigour.

It was from this time eafy to forefee, that the Emperour intended to Treat no more at *Utrecht*, and that a feparate Negotiation between the Courts of *Vienna* and *France*, whenever it fhould happen would not prove very advantageous

tagious to the Empire, or favourable, to the *Protestant* Interest in *Germany*, of which her Majesty had taken early, and as she hoped effectual care, by obliging *France* to consent that all things concerning the State of Religion in the Empire should be settled conformably to the Tenor of the Treaties of *Westphalia*; in such manner as to make it plainly appear, that the most *Christian* King neither would make, nor would have had made any Alteration in the said Treaties. Thus one of the Contracting Parties had already in effect yielded to the Abolition of that Clause in the 4th Article of the Treaty of *Ryswick*, so fatal to the *Protestant* Religion.

And

And if his Imperial Majesty had Concluded his Treaty at *Utrecht*, it is hardly to be believed, that in the midst of so many Allies, whose Blood had been Shed, and whose Treasure had been exhausted in his Cause, he would have refused to their Joint Intercession, what *France* had complied with on the single Instances of the Queen.

It has been already observed that if the Allies, when the Congress at *Utrecht* was opened in the beginning of the Year, had in good earnest gone about their several Treaties, the Peace might in all Probability, have been made before the Armies could have taken the Field. It may be necessary

ry here to observe the State of Affairs at another Period of time, and another opportunity lost of treating with the greatest advantage on our side, and with the greatest probability of Success.

On the 6th of *June* 1712 her Majesty communicated to both Houses of Parliament, upon what Terms a General Peace might be made: Those who were against any Treaty and who Entertained hopes that the Sense of the Nation would not go along with her Majesty, and that Obstructions would arise even in *Britain* to the Conclusion of the Peace, might have seen how vain those Expectations were, by the Returns which the two Houses

Houses made to this Instance of her Majesty's Condescension, *by the assurances they gave of their Confidence in her, and of their entire Relyance on her Wisdom to finish this great and good Work, and by their humble desire that she would please to proceed in the present Negotiations for obtaining a speedy Peace.* Those who pretended only to be against the Method of Treating, and who were fond of Specifick Preliminaries, had now the very thing which they desired, his most *Christian* Majesty having declared himself explicitly and particularly on the most important Points that were to be Settled in the Treaties of Peace. The Queen was even at that time not under the
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least Obligation but at full liberty to have proceeded in the Negotiation, or to have broke it off, according as the *French* had behaved themselves. But *France* was under the strongest Obligations to her Majesty, and by her Majesties means to the Allies. The Concessions then made on the Part of *France* were made without any Concession whatever on the part of the Confederates : If therefore even then they could have been prevailed upon to unite with the Queen, and with one another, during a short Cessation of Arms, the General Peace might have been secured, or if that had failed, we should have got by the Cessation into our hands a Place of greater Importance than

than we could have expected by the most successful Campaign to Conquer. But instead of applying themselves to improve this happy Conjunction, the Ministers who met to treat of Peace seemed attentive only to what passed in the Field, and *Utrecht* seemed the Scene of no other Business than unnecessary Disputes concerning the Forms of Proceeding, and Negotiations to accommodate Differences which the Quarrels of Servants had begun.

From these unhappy Measures were many evil Consequences derived, and by them were all the subsequent Transactions affected, particularly

those which related to the Interest of the *Catalans*.

This People had submitted to the present King of *Spain*, on his Accession to that Throne; had taken the Oaths of Fealty to him, and in the *Cortes* held at *Barcelona* in the Years 1701, and 1702, had received from him a new Establishment of their Priviledges: Notwithstanding which they began in the Year 1704, to shew their Inclinations to a Revolt, and it appears that in the beginning of the Year 1705, they made Overtures of this kind to the Queen, and that Numbers of them were already actually in Arms. In Compliance therefore with
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what they desired, and encouraged by the Assurances she received, that not only the *Catalans*, but other People of *Spain* were ready to declare for his present Imperial Majesty, as soon as they should see any Prospect of being supported in their Revolt, the Queen thought fit to give Directions to the Earl of PETERBOROW and to Sir CLOUDSESLY SHOVELL Joint Admirals of her Fleet, on the First of *May* 1705, to do the best they could to induce the *Catalans* to Co-operate with them for the Reduction of *Spain*: In order to which, they were empowered to promise in the Queen's Name, that she would secure to them a Confirmation of their Rights

Rights and Liberties from the said Prince, King CHARLES the Third. But it appears by the same Instructions, that instead of giving these Assurances, the Admirals were to take Measures for annoying the Towns on the Coast of *Spain*, and for reducing them by force, unless suitable Returns from the *Catalans* and *Spaniards* were made to these kind Offers on Her Majesty's Part. This likewise appears to have been the Measure by which the Queen proceeded from the Commission, Credentials, and Instructions given to Mr. CROWE, who was sent to *Genoa* in *March* 1705, besides which it is also to be observed that after the Earl of PETERBOROW
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and Sir CLOUDESLEY SHOVELL were arrived with Her Majesty's Fleet at *Lisbon*, it still remained, for some time, uncertain what Design they should prosecute, and this uncertainty hindred them from pressing the People of *Catalonia*, whilst K. CHARLES rather checked than incited them; so that when the Queen's Forces proceeded on this Service, the *Catalans* were looked upon to be the Principals, and we only Accessaries in the War: From all which it is evident that the Landing of the Earl of PETERBOROW in *Catalonia*, and Her Majesty's Entering into that Part of the War, were in Consequence of the Sollicitations of the *Catalans* and other *Spaniards* affected

affected to the House of *Austria* ; and that all the Engagements which she gave to these People went no further than the obtaining from King CHARLES the Third a Confirmation of their Rights and Privileges ; and altho' Her Majesty offered at that time to give a Guaranty for the same, and to enter into a Treaty with that People ; yet it does not appear that such a Guaranty was ever given, or, that such a Treaty was ever made. This being the State of the Queen's Engagements to the People of this Province, there could have been no doubt of making them good in every Part, had the Events of the War,
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and the Circumstances, rendered the placing his present Imperial Majesty on the Throne of *Spain* practicable; and there is as little doubt, that besides what has been obtained by Her Majesty for the *Catalans*, the Confirmation of all their Priviledges would likewise have been procured from his *Catholick* Majesty, had not the Conduct of the Emperor singly prevented it.

In the Year 1712 it has been already said, that altho' the fairest Prospect of making a General Peace was opened, yet his Imperial Majesty continued in his Resolution not to make it: The

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Queen

Queen on the other Hand was under a Necessity of pursuing the Measures she had taken, and thereby not only of agreeing to a Cessation of Arms, but also of withdrawing her Troops out of the Province of *Catalonia*, the Supplies granted by Parliament for that Year having been so Calculated, that the whole Establishment was given only for the First Quarter, and one Third of Four Millions of Crowns for the other Three Quarters, Conditionally that the Emperor and the States General would take upon toemselves, the other Two Thirds, which in Fact neither of them did.

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Under these Circumstances it was plain that the *Catalans* would be left without any Terms made in their behalf, and that the Empress and Imperial Forces, who remained in that Province would be exposed to the greatest Difficulties and Dangers. The Queen therefore took immediately all the care she could to prevent these Misfortunes, and at the same time to secure and strengthen his Imperial Majesty, as far as lay in her Power, notwithstanding the Treatment she had received; and the just Provocation she had to leave him to struggle with the consequences of his own Measures.

At the latter end of this Year 1712. her Majesty set a Treaty on Foot for the Evacuation of *Catalonia* and for the Neutrality of *Italy*. Her Majesties aim by the first part of this Treaty was to secure the return of the Empress and the Imperial Troops, and since she could no longer support the *Catalans* by her Arms, to provide for them by the Terms of Peace. Her Majesty's aim in the second Part, was to leave as little room as possible for *France* or *Spain* to attack his Imperial Majesty, when the Treaties between her Majesty and the States General, should be concluded with the most *Christian* King.

King. The Queen considered that these Treaties, and the Barrier of the States would secure the Ten Provinces of the *Netherlands* from any Invasion, and by this Convention for a Neutrality in *Italy*, the Emperor's Territories in that Country were likewise covered; so that by the Care which Her Majesty took, since he was determined to run the risk of Continuing single in the War, he would lye open in no Frontier but that of the *Rhine*, where by the same means, he would be able considerably to encrease his Strength, as well with Draughts out of *Italy*, as with the *Germans* and other Forces which

which were to be transported from *Spain*.

It was no sooner than the end of *January* 17 ^{$\frac{1}{2}$} , that by the good Offices of her Majesties Ministers at *Utrecht* the Imperial and *French* Plenipotentiaries were brought to to meet upon this Negotiation, and in the mean time her Majesty Endeavoured as well by her own Ministers at *Madrid*, as by pressing the *Spanish* Minister who was then here, to induce the *Catholick* King to facilitate this Matter as much as possible, and particularly on the head of the Privileges of the *Catalans*, in which the Minister of *France* concurr'd with the greatest Earnestness.

Earneſtneſs. But it ſoon appeared that his *Catholick* Ma-
 jeſty who ſaw the Advantage
 which the Conduct of the
 Imperial Court gave him,
 would hardly be prevail'd up-
 on to grant any thing more
 than a General Act of Obliv-
 ion, and a Reſtitution of
 Honours and Eſtates.

On the 14th of *March*
 N. S. 1713 the Convention
 for the Neutrality of *Italy* and
 the Evacuation of *Catalonia*
 was executed by her Maje-
 ſties Miniſters on behalf of
 the Emperor, and by thoſe
 of *France* on behalf of the
 King of *Spain*, and the Arti-
 cle concerning the Priviled-
 ges of the *Catalans* left un-
 determined,

determined, a Right being reserved to her Majesty to insist, whenever the Emperor should treat of Peace, that those Priviledges should be preserved to them ; and the most *Christian* King declaring that he would concur with the Queen to the same end.

In *May* 1713 the Treaty of Peace between her Majesty and the *Catholick* King, was signed provisionally here, and in *July*, definitively at *Utrecht*, whereby there is not only an absolute Amnesty with a full Possession of all their Estates and Honours, but also the Priviledges of the *Castilians* granted to the
Catalans,

Catalans, which Article is at least in this respect considerable that the People of *Catalonia* are thereby entitled to hold any Employments in the *West Indies*, or to trade directly thither, in as full and ample manner as the People of *Castile*, from which they were formerly as much excluded as any Foreign Nation whatever.

The Preservation of their antient Priviledges is neither granted nor directly refused by this Article; so that the Queen, either when the Peace shall come to be treated between their Imperial and *Catholic* Majesties, or on another favourable *occasion* which

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may offer it self is at Liberty to renew her Applications upon this Head. In the mean time, it is certain that the refusal of the People of this Principality, as well as the Island of *Majorca*, to submit to the *Catholick* King, when in pursuance of the Treaty of Neutrality, these Country's were evacuated by the Emperor's Forces; and their obstinate resistance since that time, must have rendred the obtaining of their Priviledges still more difficult, if that be possible, than it was.

If the antient Priviledges of these People in their full Extent were not obtained, it *must be attributed* to those
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who rendred it unpracticable to treat effectually for them before the withdrawing of the Queen's Forces out of *Catalonia*; and if their Condition is become since more desperate, those are only to answer for, it who have encouraged them not to submit a second time to their Prince, with the hopes of relief, which they who gave such hopes must have known themselves in no Condition of making good.

From this State of the several Treaties between her Majesty, her Allies and *France* and *Spain*; by this Account of the general Negotiations of Peace, and of the particu-

lar Case of the *Catalans*, the reasonableness of all the Steps her Majesty has taken, and those designs which have been pursued, at first to wrest the Negotiation out of her hands, and since to unravel all that had been done, and to throw us into Confusion, will sufficiently appear.

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